

**REMARKS**

**Summary Of The Office Action**

Claims 1-41 are pending in the application.

Claims 1-41 are rejected under 35 U103 as being unpatentable over Lea (US Patent No. 6,052,750 in view of Tajima (JP6-169440). This rejection is respectfully traversed.

**Analysis of the Rejection**

The rejection in the present Office Action is the same as in the previous Action. In response to the previous Action it was argued: 1) That although Tajima discloses modules that perform different functions that can be mounted together in a television, there is no suggestion to modularize and physically combine a plurality of devices forming a computer network which exhibits a controlling function, and that at least for this reason, Tajima is not in an analogous art; and 2) the applied references do not teach or suggest the use of an IP address as recited in claim 4 (and its dependent claims 5-9), claim 23, claim 24 (and its dependent claims 27-34) and claim 35 (and its dependent claims 36-38).

In the present Office Action, the Examiner indicates that he is not persuaded by these arguments. Applicant respectfully submits that claims 1-41 are patentable for at least the reasons set forth in the previous response and those set forth below.

In more detail, Applicant supplements the arguments contained in the previous response by submitting that there is no motivation to modify Lea with the teaching of Tajima. Lea

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recognizes as a problem: “incompatibility between devices in the home audiovisual system.

Consumer electronic devices from one manufacturer often couple to an audiovisual system in a different manner than similar devices from another manufacturer. For example, a tuner made by one manufacturer may not properly couple with a television made by another manufacturer.”

Col 1, lines 57-63. Lea seeks to provide “a new architecture for an open, interoperating, audiovisual system for devices within a home network.” Lea teaches that “[w]hat is required is an architecture which allows devices from any manufacturer to function seamlessly with a home audiovisual system. What is required is an architecture which is extensible, and can be readily modified and advanced as market requirements and technology change.” Col. 2, lines 40-48.

To achieve this, Lea teaches that “the underlying structure for such a network consists of [a] set of interconnected clusters of appliances. Typically, there will be several clusters in the home, with one per floor, or per room. Each cluster will work as a set of interconnected devices to provide a set of services to users. Often, one device will act as a controller for a set of other devices. However, the architecture is sufficiently flexible to also allow a home to consist of a single cluster with no master controller.” Thus, Lea envisions the components to be connectible regardless of their manufacturer or other considerations related to the devices themselves. This teaches away from the modification of Lea suggested by the Examiner. That is, Lea teaches away from including “a rack where modules can be inserted/removed (Fig 1, 2), which provides a system which overcomes any burden in connecting a plurality of wires/cables with traditional devices.” Office Action, page 5, second to last paragraph. If a rack were to be provided to house the components of Lea, the objectives sought by Lea would not be achieved.

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With regard to item “2” above (that the applied references do not teach or suggest the use of an IP address as recited in claim 4 (and its dependent claims 5-9), claim 23, claim 24 (and its dependent claims 27-34) and claim 35 (and its dependent claims 36-38), Applicant submits the following:

In the Office Action, the Examiner states:

The use of an IP address/browser between a controller and external device is a conventional in the art, where the user may operate a plurality of devices from the use of a web page of a particular device.

Thus the examiner takes “OFFICIAL NOTICE” regarding such a system.

(Office Action, page 6, last two full paragraphs.)

In the “Response to Arguments” section of the Office Action, the Examiner states:

The examiner took “OFFICIAL NOTICE” in response to the use on an internet based communication protocol. The examiner would like the applicant to clarify on the record, what part of the protocol was invented by the applicant. The use of an IP address is notoriously well known, thus the examiner would like the applicant to clarify, how this invention is different from a conventional IP address in communicating with devices.

(Office Action, paragraph bridging pages 4 and 5.)

Applicant submits that Applicant does not claim to have invented a part of the protocol.

What Applicant has invented is a new and non-obvious combination, defined by claim 4 (and its

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dependent claims 5-9), claim 23, claim 24 (and its dependent claims 27-34) and claim 35 (and its dependent claims 36-38), which as part of that combination includes manipulation of the IP address in the manner claimed. The Examiner has relied on “OFFICIAL NOTICE” for use of an IP address browser between a controller and an external device and concludes that it would have been obvious “to modify Lea and Tajima which disclose a modular home networking system where the user may add/remove apparatus by using cards if desired, by allowing the devices to communicate to each other via a conventional scheme such as IP addresses which would allow the user to operate the device via the devices web/homepage.” (Office Action, paragraph bridging pages 6-7.)

Applicant respectfully submits that the Examiner’s motivation for the modification of Lea and Tajima is gleaned from Applicant’s disclosure. There is no suggestion in either Lea or Tajima for such a modification as suggested by the Examiner. Merely because an element of an invention may be known does not provide motivation to modify the teachings of references. There must be some motivation within the references themselves for such a modification. Applicant believes that there is no such motivation in the references, and respectfully requests that the Examiner explain the source of the motivation proffered in the Office Action.

Applicant respectfully submits that claims 1-41 are patentable for at least the reasons set forth in the previous response and those set forth above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Peter A. McKenna  
Registration No. 38,551

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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